

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

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|----------------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| v. |) | CRIMINAL NO. 1:22-00164-KD-B |
| |) | |
| NICHOLAS JEASHUN BAILEY, |) | |
| Defendant. |) | |

REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY

The Defendant, **NICHOLAS JEASHUN BAILEY**, by consent (Doc. 21), appeared along with his counsel of record, LaWanda O'Bannon, before the undersigned Magistrate Judge on March 20, 2023, pursuant to Rule 11 of the Federal Rules of Criminal Procedure. Defendant entered a plea of guilty to Count One of the Indictment (Doc. 1) charging a violation of Title 18, United States Code, Section 922(g)(1) (Felon in Possession of a Firearm).

After cautioning and examining the Defendant under oath concerning each of the subjects mentioned in Rule 11, the undersigned has determined that the guilty plea was made knowingly and voluntarily and that the offense charged in the Indictment is supported by an independent basis in fact as to each of the essential elements of such offense. The undersigned Magistrate Judge therefore **RECOMMENDS** that the plea of guilty be accepted and that the Defendant, **NICHOLAS JEASHUN BAILEY**, be adjudged guilty and have sentence imposed accordingly. Defendant's sentencing hearing before District Judge Kristi K. DuBose

is set for **June 16, 2023, at 11:00 a.m. (CST)**, pending the adoption of this Report and Recommendation.

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any un-objected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1.

DONE this the 20th day of March 2023.

/s/ Katherine P. Nelson
KATHERINE P. NELSON
UNITED STATES MAGISTRATE JUDGE